



INTERNAL MEMO

CITY OF BEND

TO: ERIC KING

FROM: LYNNE McCONNELL

DATE: NOVEMBER 13, 2020

RE: ST VINCENT DE PAUL SHELTER SITING UNDER HB 4212

In a special session related to COVID-19, the Oregon Legislature passed HB 4212, a “relief” bill intended to respond to the emergency. The bill was signed on June 30, 2020. Within HB 4212 are several sections related to housing emergency and authorizes the siting of emergency shelters if certain conditions are met.

St. Vincent de Paul (SVDP) is a non-profit organization operating in Bend. They are proposing to site a shelter under HB 4212. The subject property is 350 and 362 SE Cleveland Ave., in Bend. This site is proximate to the SVDP administrative offices and existing housing they own and operate. The factors in the statute and a brief analysis of how the SVDP proposal meets each is outlined in this memo.

Section 10:

“Emergency shelter’ means a building that provides shelter on a temporary basis for individuals and families who lack permanent housing.”

St. Vincent de Paul (SVDP) intends to provide shelter on a temporary basis for individuals and families who lack permanent housing.

“May resume its use...after an interruption or abandonment of that use for two years or less.”

SVDP will bring the shelter in to operation within 2 years of application approval.

Section 11:

“A local government shall approve an application... for emergency shelter on any property... if the emergency shelter:

“(a) Includes sleeping and restroom facilities for clients;

SVDP’s site plan shows 10 freestanding shelters and a conversion of an existing single family home in to a total of 11 sleeping units (shelters) on approximately



0.34 acres. The site contains two lots. Restrooms shall be provided within a Residents' Facility as well as within the existing home.

(b) Will comply with applicable building codes;

Due to the short timeline provided in HB 4212, a building permit could not be obtained for the application. A building permit demonstrates compliance with applicable building codes. The City's Building Official has provided written correspondence indicating that there is an applicable building code and that this development is reasonably likely to fit within upon further discussion and evaluation. A building permit is likely to be secured in due time. The approval of this shelter will be conditional until all necessary building permits are secured.

(c) Is located within an urban growth boundary...

The shelter location is 350 and 362 SE Cleveland, within the City's Urban Growth Boundary.

(d) will not result in the development of a new building that is sited within an area designated under a statewide land use planning goal related to natural disasters and hazards...

Neither of the lots upon which this development will occur are designated as "goal protected lands" under Statewide Planning Goals. This means the subject property is not within any floodplain areas, natural hazards, or other mapped environmental health hazards.

(e) has adequate transportation access to commercial and medical services

Cleveland Ave. is a fully improved local street which connects to 3rd Street, a principal arterial running North-South through Bend. The subject property is within 500 feet of 3rd Street. 3rd Street has fixed route transit service in both directions approximately every 30 minutes, with bus stops located approximately 600 feet from the subject site. Additionally, the subject site is within 1/3 mile of the Hwy 97 interchange at Reed Market Road, providing connectivity throughout Central Oregon and the rest of the state.

(f) Will not pose any unreasonable risk to public health or safety

The applicant self-certifies that this facility will not pose any unreasonable risks to public health or safety, pursuant to building code compliance, fire and other emergency safety access, operating plans and mitigating steps outlined within the application materials. Safe transportation infrastructure is present, as well as potable water and sanitary sewer. Staff believe that this application will meet basic public health and safety as submitted.

Agency structure

SVDP is a registered 501(c)(3), which is a non-profit operating under 501(a) IRS determination. An IRS Determination letter was submitted with the application. SVDP meets the agency structure criteria.

(3) Additional amenities and services:

SVDP intends to provide common bathroom, shower, laundry, and cooking facilities, and sleeping units. A patio and asphalt trail are also proposed. Case management services will be provided to residents as appropriate.

Section 12:

Sections 10 and 11 are repealed 90 days after the effective date of this 2020 special section Act.

The repeal date was September 28th at 5:00 p.m. SVDP's full application was received by the deadline.

The establishment of shelter locations geographically dispersed in the City of Bend is one of the strategies approved by the Bend City Council to address homelessness in Deschutes County. SVDP's proposal will assist the City in achieving its goal. Staff recommends approval of the proposal from SVDP with the following additions:

The approval of this shelter will be conditional until all necessary building permits are secured and inspections performed, which will demonstrate compliance with building codes.

The City strongly suggests SVDP review any intent to charge rent with a landlord-tenant attorney.

SVDP will have to pay System Development Charges (SDCs). Please contact staff to discuss payment or exemptions.